

the General Revenue Fund of the State of Texas to pay for the costs of giving college entrance examinations by the State Superintendent of Public Instruction for the remaining biennium of 1942-43 and for the regular biennium of 1943-45; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the Committee substitute hereto attached do pass and be printed in lieu of the original bill.

LANNING, Chairman.

#### Hour to Which Senate Shall Adjourn

Senator Winfield moved that upon conclusion of the joint session to be held today in the Hall of the House, pursuant to S. C. R. No. 30, the Senate stand adjourned until 10:00 o'clock a. m., Monday, March 15, 1943.

The motion prevailed.

#### Record of Vote

Senator Aikin asked to be recorded as voting "nay" on the motion by Senator Winfield to adjourn until 10:00 o'clock a. m., March 15, 1943.

#### Joint Session

(To Hear Hon. Fulton Lewis, Jr.)

At 11:00 o'clock a. m., President pro tempore Mauritz announced the arrival of the hour for the joint session to be held pursuant to S. C. R. No. 30 to hear Hon. Fulton Lewis, Jr., and requested the Senators to proceed in a body to the Hall of the House of Representatives.

The Honorable Senators were announced at the Hall of the House and were duly admitted and escorted to seats prepared for them in the center aisle of the Hall.

President pro tempore Mauritz occupied a seat on the Speaker's rostrum.

The Honorable Fulton Lewis, Jr., and his party, accompanied by the Honorable Coke Stevenson, Governor of Texas, were announced at the bar of the House and escorted to the Speaker's rostrum by Senators Metcalfe, Moffett, Lane, Lanning, and Brownlee, on the part of the Senate, and by Representatives Williamson, Senterfitt, Bell of DeWitt, Jones, Car-

ington, and Stubbs, on the part of the House.

The President pro tempore called the Senate to order and ascertained and announced the presence of a quorum of the Senate.

The Speaker of the House ascertained and announced the presence of a quorum of the House, and announced the purpose of the joint session.

The President pro tempore presented Senator Penrose B. Metcalfe, who introduced Hon. Fulton Lewis, Jr.

Mr. Lewis then addressed the joint session and the assemblage.

At the conclusion of the address, the President pro tempore (at 11:50 o'clock a. m.) declared the Senate adjourned until 10:00 o'clock a. m. Monday, March 15, 1943, in accordance with a motion previously agreed to by the Senate.

#### THIRTY-FOURTH DAY

(Monday, March 15, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

|           |          |
|-----------|----------|
| Aikin     | Metcalfe |
| Brownlee  | Moffett  |
| Bullock   | Moore    |
| Chadick   | Morris   |
| Cotten    | Ramsey   |
| Graves    | Shivers  |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Lovelady  | Winfield |
| Martin    | York     |
| Mauritz   |          |

A quorum was announced present.

Rev. George W. Coltrin, Chaplain of the House, on invitation of the President, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 11, 1943, was dispensed with and the Journal was approved.

### Leaves of Absence Granted

Senator Beck was granted leave of absence for today on account of important business, on motion of Senator Ramsey.

Senators Kelley, Lemens, Fain, Spears, and Formby were granted leaves of absence for today and indefinitely on account of official business, on motion of Senator Metcalfe.

### Poem by Jake McKinney

Senator Lovelady submitted the following poem, which was read to the Senate and ordered printed in the Journal:

#### I LIVE IN THE GRAND OLD STATE OF TEXAS

By JAKE McKINNEY,  
Wheel Chair Invalid,  
Dublin, Texas

I live in the Grand old State of Texas  
Where the valley grass is very,  
very blue,  
And the sunshine against the tall,  
green oaks  
Makes a scene of glittering,  
golden hue.

I see beautiful yards with greenish  
lawns  
Where the sweetest of all flowers  
grow;  
See the little gray squirrel up in the  
tree  
Hear the mocking bird's song  
sweet and low.

I live in the Grand old State of Texas  
Where the most fragrant blue-  
bonnetts grow,  
It's the land of those wide open  
spaces  
The most beautiful State that I  
know.

You can ride through the hills and  
mountains  
Or the fertile green valleys that  
lay below,  
And you will always find good high-  
ways in Texas  
To take you just any place you  
wish to go.

You will find many brave men from  
old Texas  
Now fighting on land, in the air  
and at sea,

Helping to hasten a great, sweeping  
Victory  
To insure lasting Freedom for  
you and me.

No matter what great battles you  
read of  
Whether at sea, on the land or  
in the air,  
Just where ever the fighting is the  
thickest  
You'll find our brave Texas boys  
right there.

So salute and raise your hat to Old  
Glory  
In respect for our many Texas  
boys over there,  
And when you meet any of our men  
in uniform  
Give them a glad hand and a  
word of cheer.

A friendly smile and a glad hand  
clasp  
To the many, many brave boys on  
their way,  
Will linger in their book of Good  
Memories  
Long after old Hitler and Tojo  
have passed away.

### Senate Concurrent Resolution 32

Senator Aikin offered the following  
resolution:

S. C. R. No. 32, Granting permis-  
sion to Roy Parchman to sue the  
State in Franklin County, Texas.

The resolution was read and was  
referred to the Committee on State  
Affairs.

### Senate Concurrent Resolution 33

Senator Ramsey offered the follow-  
ing resolution:

S. C. R. No. 33, Authorizing cor-  
rection in enrolled copy of S. B. No.  
137.

Be It Resolved by the Senate of  
Texas, the House of Representatives  
concurring, That the Engrossing and  
Enrolling Clerk of the Senate is in-  
structed to correct the caption of S.  
B. No. 137, so it will read as fol-  
lows:

"An Act to amend Subdivision 2 of  
Article 199, Title 8, of the Revised  
Civil Statutes of the State of Texas  
of 1925, as amended, so as to change  
the time and terms of holding the

terms of the District Court of Angelina, Cherokee, and Nacogdoches Counties, Texas, constituting the 2nd Judicial District of Texas; validating and continuing all process issued or served before this Act takes effect, including recognizances and bonds; making them returnable to the next term of the court in each of said counties and district as herein fixed; validating the summoning of grand and petit juries under this Act; and declaring an emergency."

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

#### House Bill 635 Re-referred

On motion of Senator Metcalfe, H. B. No. 635 was re-referred from the Committee on Public Lands and Land Office to the Committee on State Affairs.

#### Communication from the Attorney General of Mexico

The President laid before the Senate, and had read, the following communication from the Honorable José Aguillar y Maya, the Attorney General of the Republic of Mexico:

Asunto: Your most attentive invitation dated February 8th of the present year. Senatorial Resolution C. No. 13th.

Mexico, D. F.,  
March 9th, 1943.

To the Most Honorable Senators of Texas, Austin, Texas, U. S. A.

It is a most distinguished honor which you have conferred upon me, as well as a deep stimulation in the life of a citizen and people's servant, when so cordially invited to visit and address you.

It will be only when I will be among you, that you shall be conscious of the great desire which we have, to partake in a mutual spirit our neighborhood, in spite of the ephemeral lapse of my stay with the people of that Great American Nation.

Traveling through the lanes of your portentous Republic is imperative to revive our hopes, and more so now, that there are no longer any sensitive or material boundary of prejudices; because we have acquired a powerful

and respectful consciousness of our common ideal. If we are no longer the moody neighbors; if we are already the family which within a short time finally has discovered its resemblance in sentiments, aspirations and unity; let us be forever the brotherly peoples which visit each other. The understanding of all the American peoples of our Continent had to be unavoidable. For centuries Geography traced a single continental scenery, that is to say from Alaska to Patagonia to fulfill our destinies. Your Country and mine were the first to have a deep vision of such unity, and our peoples have been fortunate enough to have such Statesmen as President Franklin D. Roosevelt, and President General Manuel Avila Camacho. Therefore, the day when I shall visit you, I will feel not only the Mexican and American peoples, but the personal aspirations of a Continental Citizen as well, and also feel a great satisfaction to form part of a Government which has so vividly felt the aspirations of a United Continental America.

I shall go to your Country, although, most unfortunately, not as soon as I desire, then I will deliver you a message from my countrymen, full of faith in your united systems of Democracy and Liberty, and to acquire from your people an optimistic and bright vision of the results secured by your efforts up to date. I presume that the most important part of my trip will be my visit to the Capital of the State of Texas. There, when we meet, we shall make a promise to meet again during the calmness of a constructive, healthy and durable peace.

Finally, I wish to extend to the Honorable Senators as well as to the Honorable House of Representatives of Texas, my apologies for not giving an official response to this most cordial invitation by means of your Senatorial Resolution C. No. 13th, which so kindly enclosed in his letter the Honorable Senator Clem Fain, and personally handed to me by the Honorable Representative Agustine Celaya and Arnold Joe Vale, and I shall be pleased to inform that Honorable Assembly the date of my departure through the same Honorable channels.

I take advantage of this opportunity to express to the Honorable

Senators of Texas my highest esteem and consideration.

Attorney General of  
the Republic of Mexico.  
José Aguilar y Maya.

**Reports of Standing Committees**

Senator Sulak, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
March 15, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred S. B. No. 214, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Austin, Texas,  
March 15, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred S. B. No. 148, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Austin, Texas,  
March 15, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred H. B. No. 197, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Austin, Texas,  
March 15, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred S. B. No. 268, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

**Senate Bill 213 on Passage to Engrossment**

On motion of Senator Moore, and by unanimous consent, S. B. No. 213 was called from the table for further consideration at this time.

The President laid before the Senate on its passage to engrossment (the bill having been read second time and tabled subject to call on March 8, 1943):

S. B. No. 213, A bill to be entitled "An Act providing that a husband and wife may by written agreement partition or exchange between themselves any part or all of their community property so that the former community interest of each spouse shall thereafter constitute the separate property of each spouse; and providing the terms under which such agreements may be made; providing that such instruments must be recorded in order to be effective against innocent purchasers for value; and repealing all Acts or parts of Acts in conflict herewith to the extent of such conflict only; and declaring an emergency."

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 213 by striking out all of Sections 2, 3, and 4, and inserting in lieu thereof the following:

"Sec. 2. This Act shall become effective in the event and when the amendment to the Constitution of Texas proposed by S. J. R. No. 6 of the Regular Session of the Forty-eighth Legislature becomes a part of the Constitution. In the event such proposed amendment does not become a part of the Constitution, this Act in its entirety shall be null and void and shall never be in force and effect.

"Sec. 3. This Act shall be cumulative of all laws governing conveyance of property, and no provision of this Act shall be construed as limiting or restricting the right of the husband to execute to his wife a conveyance or gift of all or any portion of his interest in the community property.

"Sec. 4. The necessity of providing promptly a direct, simple and inexpensive method of partitioning community property and converting the same into separate property, and the existence of a state of war, in which families are separated on short no-

tice, and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and such rule is hereby suspended and this Act take effect and be in force at the time and conditioned as provided in Section 2 hereof, and it is so enacted."

And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 213 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 213 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

|           |          |
|-----------|----------|
| Aikin     | Metcalf  |
| Brownlee  | Moffett  |
| Bullock   | Moore    |
| Chadick   | Morris   |
| Cotten    | Ramsey   |
| Graves    | Shivers  |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Lovelady  | Winfield |
| Martin    | York     |
| Mauritz   |          |

Absent—Excused

|        |        |
|--------|--------|
| Beck   | Kelley |
| Fain   | Lemens |
| Formby | Spears |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill and Joint Resolution on First Reading

The following House joint resolution and bill, previously received from the House, were laid before the Senate, read first time, and referred to the committees indicated:

H. J. R. No. 18, to Committee on Constitutional Amendments.

H. B. No. 100, to Committee on Labor.

#### House Concurrent Resolution 65

On motion of Senator Metcalfe, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 65, Inviting Hon. Prentiss M. Brown to address a joint session of the Legislature on April 14, 1943.

The President laid the resolution before the Senate, it was read by the Secretary and was adopted.

#### Senate Bill 129 with House Amendments

Senator Chadick called S. B. No. 129 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—24

|           |          |
|-----------|----------|
| Aikin     | Mauritz  |
| Brownlee  | Metcalf  |
| Bullock   | Moffett  |
| Chadick   | Moore    |
| Cotten    | Morris   |
| Graves    | Ramsey   |
| Hazlewood | Shivers  |
| Jones     | Stone    |
| Lane      | Sulak    |
| Lanning   | Vick     |
| Lovelady  | Winfield |
| Martin    | York     |

Absent

Weinert

Absent—Excused

|        |        |
|--------|--------|
| Beck   | Kelley |
| Fain   | Lemens |
| Formby | Spears |

#### Appointment of Special Committee

In accordance with S. C. R. No. 31, the President announced the appointment of the following committee on the part of the Senate to extend an invitation to Madame Chiang Kai-

shek to address a joint session of the Legislature:

Senators Chadick, Moore, and Morris.

### Committee Substitute Senate Joint Resolution 3

The President laid before the Senate, on its second reading:

C. S. S. J. R. No. 3, Proposing an amendment to Section 51d of Article III of the Constitution of Texas providing that the Legislature shall have power to provide under such limitations, restrictions, and regulations as may be deemed by the Legislature expedient, legislation providing financial aid for dependent children to conform with the Federal Social Security Act in its present form, or as hereafter amended; and shall have the power to provide funds for the administration of payment of same; and providing that the Legislature shall have the authority to accept from the Government of the United States such financial aid for such program as that Government may offer; and providing for the necessary proclamation and making an appropriation to defray the expenses of proclamation, publication and election.

The resolution was read second time.

Senator Lovelady offered the following amendment to the resolution:

Amend Committee substitute for S. J. R. No. 3 by adding at the end of Section 1 the following:

"This amendment shall not be effective unless and until the Legislature shall levy specific additional taxes for the purpose of providing the money for such assistance and welfare."

The amendment was adopted.

Senator Lovelady offered the following amendment to the resolution:

Amend Committee substitute for S. J. R. No. 3 by striking out all of Section 2 except the first paragraph thereof and substituting in lieu thereof the following:

"For the amendment to the Constitution removing all limitations on the amount of State money which the Legislature may spend for assistance to needy children, and providing that the Legislature must levy specific ad-

ditional tax to provide the money for any such assistance granted.

"Those voters opposing said amendment shall write or have printed on their ballots the words:

"Against the amendment to the Constitution removing all limitations on the amount of State money which the Legislature may spend for assistance to needy children, and providing that the Legislature must levy specific additional taxes to provide the money for such assistance granted."

The amendment was adopted.

Senator Metcalfe offered the following amendment to the resolution:

Amend C. S. S. J. R. No. 3, page 1, line 32, by adding after the word "children," in said line, the following:

"Under the age of fourteen (14) years."

The amendment was adopted.

Senator Morris offered the following amendment to the resolution:

Amend C. S. S. J. R. No. 3, Section 1 by adding at the end of the word "Services" in line 33 the following:

"Provided that the Legislature shall not have the authority to appropriate out of any fund created prior the adoption of this amendment the funds necessary to carry out the provisions of this amendment."

The amendment was adopted.

### Record of Votes

Senators Aikin and Lovelady asked to be recorded as voting "nay" on the amendment by Senator Morris.

The resolution then was passed to engrossment by the following vote:

#### Yeas—16

|           |          |
|-----------|----------|
| Aikin     | Mauritz  |
| Brownlee  | Metcalfe |
| Bullock   | Moffett  |
| Chadick   | Moore    |
| Graves    | Ramsey   |
| Hazlewood | Shivers  |
| Jones     | Sulak    |
| Lovelady  | Vick     |

#### Nays—6

|         |          |
|---------|----------|
| Cotten  | Morris   |
| Lane    | Winfield |
| Lanning | York     |

## Absent

Martin  
Stone

Weinert

## Absent—Excused

Beck  
Fain  
FormbyKelley  
Lemens  
Spears**Senate Bill 64 Tabled Subject to Call**

On motion of Senator Moore, S. B. No. 64 was tabled subject to call.

**Senate Bill 92 with House Amendments**

Senator Mauritz called S. B. No. 92 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

On motion of Senator Mauritz, the Senate concurred in the House amendments.

**Senate Bill 41 on Second Reading**

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 41, A bill to be entitled "An Act authorizing the State Board of Education to adopt a multiple list of not fewer than three nor more than five textbooks for use in the last two grades in the public high schools in teaching pre-flight aeronautics, fundamentals of electricity, fundamentals of machines, fundamentals of shop work, fundamentals of radio, and fundamentals of automotive mechanics; providing to whom they may be furnished free and that no basal book shall be designated; and providing requirements governing such adoptions; and repealing Section 2, Chapter 210, Acts of the Regular Session, Forty-first Legislature, as heretofore amended; and declaring an emergency."

The bill was read second time.

(Senator Vick in the Chair.)

Senator Aikin offered the following committee amendment to the bill:

Amend so as to provide a new Section properly numbered as follows:

"Provided, however, that no other new textbooks shall be purchased dur-

ing the biennium ending August 31, 1945."

Senator Metcalfe raised a point of order against consideration of the amendment, on the ground that it is not germane to the original purposes of the bill.

(President in the Chair.)

The ruling on the point of order was not announced immediately.

Pending—The Committee amendment offered by Senator Aikin with point of order by Senator Metcalfe against its consideration.

**Senate Bill 323 on First Reading**

Senator Cotten, by unanimous consent, moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

|           |          |
|-----------|----------|
| Aikin     | Metcalfe |
| Brownlee  | Moffett  |
| Bullock   | Moore    |
| Chadick   | Morris   |
| Cotten    | Ramsey   |
| Graves    | Shivers  |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Lovelady  | Winfield |
| Martin    | York     |
| Mauritz   |          |

## Absent—Excused

|        |        |
|--------|--------|
| Beck   | Kelley |
| Fain   | Lemens |
| Formby | Spears |

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Cotten:

S. B. No. 323, A bill to be entitled "An Act authorizing the State Board of Control to purchase real property and improvements from any person, firm, or corporation having such property for sale at a cost of not to exceed \$200,000.00 for such real property, improvements, and equipment; directing the examination and approval of title by the Attorney General;

directing an appraisal of any such property prior to purchase by a competent engineer and architect; directing the use of such institutions for the feeble-minded; repealing that portion of Item 38, Page 944, Chapter 567, Senate Bill No. 402, Acts of the 47th Legislature, appropriating \$60,000.00 for the construction of a ward building and the payment of equipment therefor at the Austin State School Farm Colony. Also, Item 76, Page 948 of Chapter 567, Senate Bill No. 402, Acts of the 47th Legislature, appropriating \$60,000.00 for an addition to the convalescent building at the Austin State Hospital; repealing that part of Item 63, Page 950, Chapter 567, Senate Bill No. 402, Acts of the 47th Legislature, appropriating \$130,000.00 for the construction of ward buildings and the procurement of equipment at the Big Spring State Hospital, and Item 77, Page 959, Chapter 567, Senate Bill No. 402, Acts of the 47th Legislature, appropriating \$400,000.00 for replacing old main building at the Terrell State Hospital; providing the institution

will contemplate the housing of not more than 350 feeble-minded patients; providing for the manner of admission and discharge, providing for the transfer of inmates of the Austin State School Farm Colony to such institution; providing this Act and the appropriations thereunder will be effective only to September 1, 1943; and providing an appropriation necessary to maintain such institution for the next biennium, making an appropriation for the next biennium, and declaring an emergency."

To Committee on Finance.

#### Senate Bill 174 Tabled Subject to Call

On motion of Senator Mauritz, and by unanimous consent, S. B. No. 174 was tabled subject to call.

#### Adjournment

On motion of Senator Moore, the Senate, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.



**In Memory of**  
**Mrs. Byron C. Utecht**

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Senator Martin offered the following resolution:

(Senate Resolution 57)

Whereas, It was learned with much sorrow that Ethel Brodie Utecht, wife of Byron C. Utecht, the distinguished news correspondent for the Fort Worth Star Telegram, departed this life on the afternoon of Wednesday, March 10, 1943; and

Whereas, Mrs. Utecht was born in Iowa and later came to Texas with her husband to make their home, and seventeen years ago moved to Austin; and

Whereas, Ethel Brodie Utecht was a woman of much personal charm, vivacious and interested in all public affairs in a quiet and unassuming manner, with a brilliant mind that perfectly complemented her husband's career as a newspaper man and made of his home a place of charming hospitality, presided over by a gracious hostess; and

Whereas, Byron C. Utecht has for many years served as news reporter during the sessions of the Senate of Texas and, by reason of his sense of fairness, his appreciation of the things that make news for the public, his skill and ability in reporting the affairs of the Senate and of the State of Texas, has become endeared to every Member of the Texas Senate; and

Whereas, Each Member of the Senate mourns with him the passing of his loved one and helpmeet; therefore, be it

Resolved, That the Senate of the State of Texas, and each Member thereof, extend to Byron Utecht deepest sympathy in his hour of sorrow; and, when the Senate adjourns today, that it do so out of honor and appreciation for the useful life of Mrs. Utecht and with a tribute of sympathy and respect for a staunch, loyal, Christian character; be it further

Resolved, That an enrolled copy of this resolution be sent to the surviving husband, son, and daughter.

**MARTIN,  
MOFFETT.**

Signed—Aikin, Beck, Brownlee, Bullock, Chadick, Cotten, Fain, Formby, Graves, Hazlewood, Jones, Kelley, Lane, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Ramsey, Shivers, Spears, Stone, Sulak, Vick, Weinert, Winfield, and York.

The resolution was read.

On motion of Senator Winfield, and by unanimous consent, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously.

## **In Memory of Hon. Joe L. Manry**

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The President laid before the Senate and had read, the following resolution:

(House Concurrent Resolution 64)

Whereas, On Saturday, March 6, 1943, the Supreme Judge of the Universe summoned from earthly labor Honorable Joe L. Manry, of Livingston, Polk County, Texas, thereby terminating the brilliant and noble career of a former District Judge of the Ninth Judicial District of Texas; and

Whereas, Joe L. Manry was born at Moscow, in Polk County, Texas, on September 15, 1870, and after attending the public schools of his county, and the University of Texas, being admitted to the bar, he returned to his own county to practice law, taking unto himself a wife, the daughter of another pioneer Texas family, Miss Elma Leggett of his native county; and

Whereas, He served his people and his State as County Attorney from 1902 to 1910, and as District Attorney from 1910 to 1918, and as District Judge of the Ninth Judicial District from 1918 to 1928, and from 1932 to 1936, when he voluntarily retired from the bench; and

Whereas, Judge Joe L. Manry served the people of his county, of his district and his State as an able advocate, a competent State Attorney, an honored and illustrious jurist, and a faithful citizen; and

Whereas, Judge Joe L. Manry's service to his community and his State sprang from his belief in the fundamental principles of Democracy and manhood, realizing that with the right of citizenship comes responsibility to one's fellowman and to posterity, and in the passing of Judge Manry, the State has lost another member from its fast dwindling ranks of pioneers who have made Texas great, and our citizenship has lost a friend and valuable citizen whose memory shall not be dimmed by time but rather will serve to enlarge the statute of a good man whose loyalty, sincerity, integrity, simplicity and straightforwardness endeared him to his associates, his friends and his loved ones; and

Whereas, Feeble words cannot add to his stature, but it is the desire of the membership of the Legislature of the State of Texas to pay tribute to such a man and to express heartfelt sympathy to the members of his family; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we acknowledge the loss of this outstanding public servant; that a copy of this resolution be spread upon the memorial pages of the House of Representatives and the Senate Journals to serve in some measure the acknowledgment of the debt Texas owes and the tribute Texas pays to a fine and true citizen and public official; and be it further

Resolved, That the Chief Clerk of the House of Representatives and the Secretary of the Senate send a copy of this resolution to his bereaved family; and that when this Legislature adjourns today that it do so in solemn tribute to a good man.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately.

The resolution was adopted unanimously.